



PATENT

(Docket No. H0002140(591-01-003))

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Mark A. Matko

Serial No.: 10/034,203

Filed: December 20, 2001

For: MOUNTING ASSEMBLY FOR  
NIGHT VISION

Group Art Unit: Not yet  
assigned

Examiner: Not yet assigned

I hereby certify that the attached  
correspondence is being deposited with the  
United States Postal Service as Express Mail  
Post Office to Addressee (label number  
EJ553216585US) in an envelope addressed to the  
US Patent & Trademark Office, PO Box 2327,  
Arlington, VA 22202, on February 13, 2002.

*Mary Ellen Donovan*  
Mary Ellen Donovan

RESPONSE UNDER 37 CFR § 1.53(b)

Hon. Commissioner of Patents and Trademarks  
Washington, D.C.

Sir:

This is Applicant's response to the Notice of  
Incomplete Nonprovisional Application mailed January 30, 2002  
for the above-identified application. Although the application  
transmittal letter and postcard indicate that no sheets of  
drawings were filed with the application, Applicant's Attorney's  
file copy of the application mailed to the USPTO includes three  
sheets of informal drawings stapled in with the specification,  
claims, and abstract. Accordingly, Applicant requests the USPTO  
to re-examine the initially-filed application papers for the  
presence of drawings mixed in with the specification, claims,

and abstract, and to grant a filing date of December 20, 2001 if such drawings are found. Applicant submits the \$130 fee under 37 CFR 1.17(h) herewith.

In case drawings are not found with with the originally-submitted application papers, Applicant submits herewith three sheets of drawings containing Figures 1-11 in order to obtain a filing date of February 13, 2002, the date of this submission of these drawings by Express Mail.

The Declaration, filing fee, and surcharge will be submitted later.

Respectfully submitted,



Paul L. Marshall  
Attorney for Applicants  
Registration No. 31,178

February 13, 2002  
Troy, MI 48084-5376  
(248)-362-7053



02-19-02

0300

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/034,203	12/20/2001	Mark A. Matko	H0002140(591-01-003)

CONFIRMATION NO. 7758

FORMALITIES LETTER



Honeywell International Inc.  
Patent Services  
101 Columbia Road  
Morristown, NJ 07963

Date Mailed: 01/30/2002

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$18.
  - \$18 for 1 total claims over 20.
- The oath or declaration is unsigned.
- The balance due by applicant is \$ 758.

02/22/2002 EXERAKA1 00000124 011125 10034203

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A copy of this notice **MUST** be returned with the reply.

*Handwritten mark*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



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PTO/SB/17 (11-01)  
Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 130.00

## Complete if Known

Application Number	10/034,203
Filing Date	12/20/2001
First Named Inventor	Mark A. MATKO
Examiner Name	
Group Art Unit	
Attorney Docket No.	H0002140 (591-01-003)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: 01-1125  
Deposit Account Name: Honeywell International

The Commissioner is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ ) ----

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid  
Total Claims -20\*\* = ☐ X ☐  
Independent Claims -3\*\* = ☐ X ☐  
Multiple Dependent ☐ = ☐

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) ---

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	130.00
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130.00

## SUBMITTED BY

Name (Print/Type)	Paul L. Marshall	Registration No. (Attorney/Agent)	31,178	Telephone	248 362-7053
Signature		Date	02/13/02		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.